

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Viral Bhagat,
Plaintiff,
-against-
Anuja Sharad Shah,
Defendants.

24-CV-01424 (VEC) (RFT)

ORDER

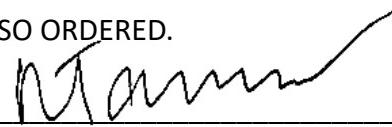
ROBYN F. TARNOFSKY, United States Magistrate Judge:

The parties were directed to file a joint letter on the docket no later than December 30, 2024, outlining pending discovery disputes they wish to raise with the Court. Attached as Exhibit A is correspondence from the parties' counsel that was not filed on the docket.

Counsel are reminded that all correspondence to Chambers must be filed on the docket.

DATED: January 2, 2025
New York, NY

SO ORDERED.



ROBYN F. TARNOFSKY
United States Magistrate Judge

EXHIBIT A

From: [M. Salman Raval, Esq.](#)
To: [Melissa Yang; Tarnofsky NYSD Chambers; Anne Zeng-Huang](#)
Subject: RE: Video Conf Details: 24-cv-01424-VEC-RFT - Bhagat v. Shah
Date: Monday, December 30, 2024 5:19:05 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

CAUTION - EXTERNAL:

Dear Judge Tarnofsky:

I am compelled to respond to Ms. Yang's misleading email.

Ms. Yang is Defendant Shah's third attorney. Since our last appearance in Court before Judge Caproni on December 05, 2024, she has sent me over 50 emails, called me multiple times, and imposed arbitrary deadlines. I have responded to many of her emails and phone calls. I have made myself available to meet and confer with her, including doing so already once in person at my office. I have exchanged multiple letters with her and am currently preparing Plaintiff's opposition to two Motions she has filed.

While we disagree on a number of issues that are coming before Your Honor shortly, Ms. Yang has continued to engage in actions that go beyond zealous advocacy and creep into harassing and uncivil communication admonished of attorneys in Federal Court. Ms. Yang's conduct, threats, two pending motions, and a warning to file a Rule 11 motion, all overshadow Defendant Shah's own conduct subject to the instant litigation (and other civil and criminal complaints, including the filing of a protective order against her), constant delays, and failure to provide discovery that has been pending since June 2024.

Ms. Yang has received my out-of-office email notification as I have been out of the country, and despite being away, I have made myself available for the instant matter. I advised Ms. Yang on Sunday that I expect to provide Plaintiff Bhagat's position by Monday – the deadline set by the Court. I again advised her of the same via telephone on Monday. To be clear, I specifically informed her that I am sending her redlines to the "general" portion of the seven-page Joint Letter she had drafted immediately (and did in fact email her the said redlines), and while she reviews them, I am separately in the midst of finalizing and inserting Plaintiff Bhagat's position in the Joint Letter, and that I would have that to her shortly.

Ms. Yang's misrepresentations to the Court are not well-received.

Despite being available, Ms. Yang canceled a previously scheduled call to Judge Caproni's Chambers on Friday, December 20. As a matter of professional courtesy, I made myself available on Monday, December 23. We raised our discovery issues during the call with Judge Caproni's Chambers and the Court referred the matter to Your Honor. Your Honor set a deadline to file a Joint Letter by today, and our office certainly intends to comply with the Court's deadline. We cannot, however, continue to have Ms. Yang intrude, disrupt, and interfere with our obligation to expeditiously prepare the Joint Letter for the Court, and be rushed by Ms. Yang at the expense of our client's case. Significant time has been taken up by Ms. Yang's intrusions today, and importantly, away from my finalizing the Joint Letter, including a phone call where she was yelling and threatening me continuously, after which I decided to no longer engage with her harassing behavior. Still, I expect to have the letter concluded and provided to Ms. Yang – now by 7:30 pm this evening. Naturally, if Ms. Yang would require additional time to amend any portion of Defendant's position in the Joint Letter after receipt of our client's insertions to his portion of the Joint letter, we will have no opposition to that request, given that it is brief, and applies equally to both sides. Alternatively, if the Court requires, we can submit separate letters.

I respectfully reserve the right to address other misleading statements by Ms. Yang at the upcoming conference scheduled by the Court for January 03, 2025, and on behalf of Plaintiff, apologize to the Court that it has been drawn into these unnecessary conflicts.

Thank you, Your Honor.

M. Salman Rava, Esq. | Partner | New York
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From: Melissa Yang <melissayangpllc.com>
Sent: Monday, December 30, 2024 4:23 PM
To: TarnofskyNYSDChambers@nysd.uscourts.gov; M. Salman Rava, Esq. <SRavala@lawcrt.com>; Anne Zeng-Huang <Anne_Huang@nysd.uscourts.gov>
Subject: RE: Video Conf Details: 24-cv-01424-VEC-RFT - Bhagat v. Shah

Dear Judge Tarnofsky,

Pursuant to Your Honor's Order dated December 27, 2024 (ECF No. 60), the parties are directed to submit a joint letter identifying their discovery disputes today. On behalf of defendant Anuja Shah ("Shah"), we provided a working draft to plaintiff Viral Bhagat's counsel, M. Salman Rava, on Saturday morning and asked that he provide Mr. Bhagat's position by Sunday at noon, so we have an opportunity to confer with our client and revise the joint letter if necessary. Mr. Rava has ignored our requests for a status update as to that joint letter.

We called Mr. Rava at approximately 4:00 p.m. He advised that he is not able to send me Plaintiff's sections on the parties' discovery issues and has not committed to a time by which he would. Given the foregoing, we advised that the parties should call the Court given the lateness of the day because we do not want Ms. Shah to be prejudiced by not having sufficient time to confer with her counsel as to Bhagat's positions (some of which we do not know because he cancelled the parties' meet and confer previously scheduled for December 17 and has since then been ignoring our emails requesting those positions in writing). Mr. Rava hung up the call as I was dialing in the Court, and he is now not picking up the telephone.

We have endeavored to submit a joint letter to the Court. Given Bhagat's refusal to cooperate, we respectfully request an opportunity to submit Ms. Shah's letter separately.

Respectfully submitted,
Melissa Yang

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